

AMENDED IN SENATE APRIL 20, 2015

SENATE BILL

No. 527

Introduced by Senator Liu

February 26, 2015

An act to add Article 14 (commencing with Section 33480) to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education Code, relating to education finance.

LEGISLATIVE COUNSEL'S DIGEST

SB 527, as amended, Liu. Education finance: Safe Neighborhoods and Schools Fund Grant Program.

Existing law, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by the voters at the November 4, 2014, statewide general election, among other things, established the Safe Neighborhoods and Schools Fund, a continuously appropriated fund, which is funded by savings that accrue to the state from the implementation of the act. The act provides that, among other purposes, 25% of the funds shall be disbursed to the State Department of Education to administer a grant program to public agencies aimed at improving outcomes for public school pupils by reducing truancy and supporting pupils who are at risk of dropping out of school or are victims of crime.

This bill would express findings and declarations of the Legislature with respect to the purposes of the act. The bill would specify the administrative duties and responsibilities of the State Department of Education with respect to the administration, commencing with the 2016–17 fiscal year, of a Safe Neighborhoods and Schools Fund Grant Program, pursuant to which the department would issue a request for proposal to ~~school districts~~ *local educational agencies, as defined*, each fiscal year and would make grants to applicant ~~school districts~~ *local*

educational agencies. The bill would set forth criteria to guide the department in awarding grants under the program.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The Safe Neighborhoods and Schools Fund has been
4 established by Proposition 47, approved by the voters at the
5 November 4, 2014, statewide general election. The funds
6 transferred to the Safe Neighborhoods and Schools Fund are to be
7 used exclusively for the purposes of the Safe Neighborhoods and
8 Schools Act.

9 (b) Twenty-five percent of the funds are disbursed to the State
10 Department of Education to administer a grant program to public
11 agencies aimed at improving outcomes for public school pupils in
12 kindergarten and grades 1 to 12, inclusive, by reducing truancy
13 and supporting pupils who are at risk of dropping out of school or
14 are victims of crime.

15 (c) Studies estimate that between 3.3 million and 10 million
16 children in the United States witness violence in their own homes
17 each year.

18 (d) Children who have experienced early, chronic trauma, such
19 as family or community violence, can develop emotional,
20 behavioral, cognitive, and relationship difficulties that can
21 adversely affect their ability to learn and function well in school.

22 (e) Exposure to trauma is associated with a higher risk for
23 dropping out of school, and in turn, dropping out of school
24 increases the risk of being imprisoned.

25 ~~(f) Behavioral problems among schoolage youth are associated~~
26 ~~with high rates of depression, experiencing a traumatic or violent~~
27 ~~event, and other significant home-life stresses.~~

28 ~~(g)~~

29 (f) Sixty-five percent of pupils with an emotional disturbance
30 drop out of school. This dropout rate is higher than all other
31 disability categories.

32 ~~(h)~~

1 (g) For pupils with these mental health concerns, the American
2 Academy of Pediatrics has found that suspension can increase
3 stress and may predispose ~~them~~ *pupils* to antisocial behavior and
4 even suicidal ideation. Psychologists have similarly found that
5 disciplinary exclusion policies can increase pupil shame, alienation,
6 rejection, and breaking of healthy adult bonds, thereby exacerbating
7 negative mental health outcomes for young people.

8 ~~(i)~~

9 (h) Studies have shown that one suspension greatly increases
10 the likelihood that a pupil will drop out and become involved in
11 the juvenile justice system.

12 ~~(j)~~

13 (i) Removing pupils from school through disciplinary exclusion
14 also increases the risk that they will become victims of violent
15 crime.

16 ~~(k)~~

17 (j) Research has shown that coordinated alignment of integrated
18 pupil supports is an approach, well-grounded in theory, research,
19 and community experience that has been shown to reduce truancy
20 and chronic absence, and to improve academic outcomes, school
21 climate, and a pupil's physical and mental health.

22 ~~(l)~~

23 (k) Schools that address the "whole child" embrace youth
24 development principles and ensure the social-emotional health of
25 pupils, and create integrated and trauma-informed support systems
26 that have a stronger positive school culture, higher attendance,
27 higher graduation and achievement rates, and lower truancy rates.

28 ~~(m)~~

29 (l) Pupils who attend schools where support systems are not
30 easily accessible by pupils and their families and where alignment
31 of support systems within the school and with community partners
32 is lacking are less likely to have access to programs that can address
33 the needs of vulnerable populations, thus exacerbating education
34 and health inequities.

35 ~~(n)~~

36 (m) Schools that implement research-based, schoolwide
37 approaches to addressing social, emotional, and behavioral issues,
38 such as School-Wide Positive Behavior Interventions and Supports,
39 restorative justice, community schools strategies, and school-based
40 mental health and trauma-informed practices demonstrate strong

1 educational outcomes, including increases in attendance and
2 achievement, particularly for pupils of color and other at-risk
3 populations.

4 *(n) A recent study regarding implementation of restorative*
5 *justice practices in the Oakland Unified School District (OUSD)*
6 *from 2011 to 2014, inclusive, found that, among other things, there*
7 *was a 128 percent increase in the reading levels of 9th graders at*
8 *OUSD schools with restorative justice programs, compared to an*
9 *11 percent increase in reading levels at schools without these*
10 *programs. Four-year graduation rates increased by 60 percent at*
11 *schools with restorative justice programs, compared to a 7-percent*
12 *increase at other schools.*

13 SEC. 2. Article 14 (commencing with Section 33480) is added
14 to Chapter 3 of Part 20 of Division 2 of Title 2 of the Education
15 Code, to read:

16
17 Article 14. Safe Neighborhoods and Schools Fund Grant
18 Program
19

20 33480. (a) The Safe Neighborhoods and Schools Fund Grant
21 Program is hereby established under the administration of the
22 department. Grants shall be issued under this program commencing
23 with the 2016–17 fiscal year. Pursuant to the Safe Neighborhoods
24 and Schools Act, approved as Proposition 47 by the voters on
25 November 4, 2014, the Safe Neighborhoods and Schools Fund has
26 been established under Section 7599 of the Government Code, and
27 funds are allocated to the department from that fund under Section
28 7599.2 of the Government Code. In administering the grant
29 program, the department shall comply with all of the following
30 requirements in order to improve outcomes for public school pupils
31 by reducing truancy and supporting pupils who are at risk of
32 dropping out of school or are victims of crime:

33 ~~(1) All school districts~~ *local educational agencies* in the state
34 shall be eligible to apply for the grant program. *As used in this*
35 *article, a “local educational agency” is a school district, a county*
36 *office of education, or a charter school.*

37 ~~(2) The grant program shall reward school districts~~ *local*
38 *educational agencies* that have ~~demonstrated a commitment to,~~
39 ~~and developed a comprehensive plan for, and implementation~~
40 *strategy* utilizing research-based ~~strategies~~ *approaches* to increase

attendance rates, ~~to reduce chronic absenteeism, remedy school~~
~~push-out and dropout rates, and~~ reduce school removals of all
types and referrals to ~~police, law enforcement agencies. The plan~~
shall create a strong and supportive school culture that identifies
and addresses the needs of pupils, including the victims of crime,
abuse, and neglect, and includes elements to address trauma,
mental health ~~needs needs~~, and other social and emotional factors
that impact pupil ~~outcomes, to address and to remedy school~~
~~pushout and dropout rates, outcomes. The plan shall coordinate~~
pupil support programs with ~~community and other public agencies~~
community-based providers or public agencies, or both, at
schoolsites and across the school district, ~~and create a strong and~~
~~supportive school culture that identifies and addresses the needs~~
~~of pupils, including victims of crime, abuse, and neglect. local~~
~~educational agency.~~

(3) A ~~school district~~ local educational agency receiving a grant
under this article shall show at a minimum that it has designed,
and is committed to implementing, all of the following:

(A) A three-year plan, developed through its local control and
accountability plan or ~~otherwise otherwise~~, to accomplish all of
the following:

(i) Significantly reduce class and school removals, absences,
violent incidents on campus, and referrals to ~~police, law~~
~~enforcement agencies.~~

(ii) Implement *one or more* research-based, whole school
approaches, including, but not necessarily limited to, schoolwide
positive behavior intervention and supports, restorative justice,
community schools strategies, trauma-informed practices, cultural
~~competency, competency and implicit bias professional~~
~~development that includes a focus on issues affecting lesbian, gay,~~
~~bisexual, and transgender pupils and pupils of color,~~
social-emotional learning, ~~and approaches to reengage mental~~
~~health support services, and strategies to reengage and reconnect~~
pupils who have been pushed out.

(iii) Identify and address disparities in any of the ~~aforementioned~~
~~areas areas mentioned in clauses (i) and (ii)~~ with respect to
subgroups addressed by the local control funding formula,
including, but not necessarily limited to, English learners, foster
youth, low-income pupils, ~~and pupils of color. pupils with~~
~~disabilities, and ethnic subgroups.~~

1 (B) A robust data system to collect and disaggregate data related
2 to the subject matter referenced in subparagraph (A). *This system*
3 *shall include a survey that measures the pupils' sense of safety*
4 *and pupil connectedness to monitor progress in these areas.*

5 (C) A system for sharing this *de-identified* data on the aggregate
6 level *and progress with respect to meeting the grant goals* with
7 the school community ~~on a regular~~ *at least an annual* basis and
8 *engaging and partnering with* all key stakeholders, including, but
9 not necessarily limited to, parents, teachers, pupils, school
10 administrators, ~~and classified staff~~ *classified staff, schoolsite*
11 *councils, English language advisory committees, and*
12 *community-based organizations* in the process of pupil and school
13 improvement.

14 (D) ~~A teacher, principal, superintendent, and school board~~ *An*
15 *evaluation system that involves key stakeholders, including*
16 *teachers, principals, superintendents, and members of school*
17 *district governing boards, to assess effectiveness related to*
18 *addressing the social, emotional, and behavioral needs of pupils*
19 *and developing strong, supportive, and positive school climates.*

20 (b) The department shall issue a request for proposal to all
21 ~~school districts~~ *local educational agencies* in the state for each
22 fiscal year that there are funds available from the Safe
23 Neighborhoods and Schools Fund. *Local educational agencies*
24 *serving high percentages of unduplicated pupils with high needs*
25 *as defined in Sections 42238.01 and 42238.02 shall be prioritized*
26 *to receive these funds.* The request for proposal shall be issued no
27 later than in ~~August~~ *October* of each fiscal year, or earlier if funds
28 become available sooner. *Grants shall be awarded under this*
29 *article no later than April 15 of each fiscal year.*

30 (c) The funds granted to ~~school districts~~ *local educational*
31 *agencies* under this article shall be utilized *only* to
32 further implementation of the three-year plan and the other
33 minimum commitments specified in paragraph (3) of subdivision
34 (a). ~~Grants shall be awarded under this article no later than March~~
35 ~~31 of each fiscal year.~~ *(a) through each of the following:*

36 (1) *Professional development, training, and coaching for*
37 *teachers, school administrators, pupils, parents, counselors,*
38 *administrative staff, and members of school district governing*
39 *boards.*

1 (2) Investments in social services, health, mental health,
2 restorative justice, and youth development staff, agencies, and
3 providers.

4 (3) Entering into agreements with institutions and
5 community-based nonprofit organizations that have a track record
6 of improving pupil outcomes and providing cultural competency
7 and anti-bias training, supporting parent leadership and
8 engagement, and providing nonpunitive pupil and family support
9 programs.

10 (d) The funds granted to local educational agencies under this
11 article shall not be used for either of the following purposes:

12 (1) To supplant existing funding allocated to meet the
13 requirements of the school climate, engagement, or other state
14 priority areas in the local control and accountability plans.

15 (2) For law enforcement agencies or entities, public or private.

16 (e) A local educational agency that has received funding
17 pursuant to this article shall submit annual outcomes-based data
18 for evaluation, in accordance with the requirements of paragraph
19 (3) of subdivision (a), to show progress in reducing the rate of
20 class and school removals, referrals to law enforcement agencies,
21 and dropout and truancy rates of targeted pupils. The department
22 shall consider the data submitted under this subdivision when
23 making determinations for eligibility for future funding under this
24 article.

25 ~~(d)~~

26 (f) The department shall ~~convene~~ a consult with a stakeholder
27 group by telephone, Web-based platform, or other effective means.
28 This stakeholder group, which shall include at least one parent of
29 a public school pupil and at least one public school pupil, to pupils,
30 and parents of public school pupils, representing impacted
31 communities from several regions in the state, shall assist in
32 making determinations regarding the awarding of ~~grants and~~ grants,
33 in assessing whether grant recipients are meeting the minimum
34 requirements set forth in paragraph (3) of subdivision ~~(a)~~: (a), and,
35 starting in year two of the grant cycle, in assisting with developing
36 or amending the requests for proposals.